

RECOMMENDATIONS

COMMISSION

COMMISSION RECOMMENDATION

of 29 May 2008

on risk reduction measures for the substances: cadmium, cadmium oxide*(notified under document number C(2008) 2243)***(Text with EEA relevance)**

(2008/446/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

of existing substances in accordance with Council Regulation (EEC) No 793/93 ⁽³⁾ and have suggested a strategy for limiting the risks.

Having regard to the Treaty establishing the European Community;

Having regard to Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances ⁽¹⁾ and in particular Article 11(2) thereof,

(2) The Scientific Committee on Toxicity, Ecotoxicity and the Environment (SCTEE) has been consulted and has issued opinions with respect to the risk evaluations carried out by the rapporteurs. The opinions have been published on the website of the Scientific Committee.

Whereas:

(1) In the framework of Regulation (EEC) No 793/93 the following substances have been identified as priority substances for evaluation in accordance with Commission Regulation (EC) No 143/97 ⁽²⁾ of 27 January 1997 concerning the third list of priority substances as foreseen under Council Regulation (EEC) No 793/93;

(3) The results of the risk evaluation and further results of the strategies for limiting the risks are set out in the corresponding Commission Communication ⁽⁴⁾.

— cadmium,

(4) It is appropriate, on the basis of that evaluation, to recommend certain risk reduction measures for certain substances.

— cadmium oxide.

(5) The risk reduction measures recommended for workers should be considered within the framework of the legislation for workers protection, which is considered to provide an adequate framework to limit the risks of the relevant substances to the extent needed.

The Member State designated as rapporteur pursuant to Regulations (EEC) No 793/93 and (EC) No 143/97 have completed the risk evaluation activities with regard to man and the environment for those substances in accordance with Commission Regulation (EC) No 1488/94 of 28 June 1994 laying down the principles for the assessment of risks to man and the environment

(6) The risk reduction measures provided for in this recommendation are in accordance with the opinion of the Committee set up pursuant to Article 15(1) of Regulation (EEC) No 793/93,

⁽¹⁾ OJ L 84, 5.4.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 25, 28.1.1997, p. 13.

⁽³⁾ OJ L 161, 29.6.1994, p. 3.

⁽⁴⁾ OJ C 149, 14.6.2008, p. 6.

HEREBY RECOMMENDS:

SECTION 1

CADMIUM

(CAS No 7440-43-9; Eines No 231-152-8)

Risk reduction measures for workers (1) and the environment (2, 3 and 4)

1. That employers using cadmium for the uses identified as a concern in the risk assessment should take note of any sector specific guidance developed at national level based on the practical non-binding guidance, as provided for in Article 12(2) of Council Directive 98/24/EC ⁽¹⁾.
2. In accordance with Directive 2008/1/EC of the European Parliament and of the Council ⁽²⁾, Competent authorities in the Member States concerned should lay down conditions, emission limit values or equivalent parameters or technical measures regarding cadmium in the permits issued under Directive 2008/1/EC in order for installations to operate according to the best available techniques (hereinafter BAT) taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
3. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.
4. All the information available including future data on soft water should be taken into account when setting Environmental Quality Standards (hereinafter EQS) within the framework of Directive 2000/60/EC of the European Parliament and of the Council ⁽³⁾.

SECTION 2

CADMIUM OXIDE

(CAS No 1306-19-0; Eines No 215-146-2)

Risk reduction measures for workers (5) and the environment (6, 7 and 8)

5. That employers using cadmium oxide for the uses identified as a concern in the risk assessment should take note of any

sector specific guidance developed at national level based on the practical non-binding guidance, as provided for in Article 12(2) of Council Directive 98/24/EC.

6. In accordance with Directive 2008/1/EC, competent authorities in the Member States concerned should lay down conditions, emission limit values or equivalent parameters or technical measures regarding cadmium in the permits issued under Directive 2008/1/EC in order for installations to operate according to BAT taking into account the technical characteristic of the installations concerned, their geographical location and the local environmental conditions.
7. Local emissions to the environment should, where necessary, be controlled by national rules to ensure that no risk for the environment is expected.
8. All the information available including future data on soft water should be taken into account when setting EQS within the framework of directive 2000/60/EC.

SECTION 3

ADDRESSEES

9. This Recommendation is addressed to all sectors importing, producing, transporting, storing, formulating into a preparation or other processing, using, disposing or recovering the substances and to the Member States.

Done at Brussels, 29 May 2008.

For the Commission

Stavros DIMAS

Member of the Commission

⁽¹⁾ OJ L 131, 5.5.1998, p. 11. Directive as amended by Directive 2007/30/EC of the European Parliament and of the Council (OJ L 165, 27.6.2007, p. 21).

⁽²⁾ OJ L 24, 29.1.2008, p. 8.

⁽³⁾ OJ L 327, 22.12.2000, p. 1. Directive as last amended by Directive 2008/32/EC (OJ L 81, 20.3.2008, p. 60).